

SULLIVAN & CROMWELL LLP

TELEPHONE: 1-212-558-4000
FACSIMILE: 1-212-558-3588
WWW.SULLCROM.COM

125 Broad Street
New York, New York 10004-2498

LOS ANGELES • PALO ALTO • WASHINGTON, D.C.

BRUSSELS • FRANKFURT • LONDON • PARIS

BEIJING • HONG KONG • TOKYO

MELBOURNE • SYDNEY

August 1, 2023

Via ECF

The Honorable Pamela K. Chen,
United States District Court Judge,
U.S. District Court for the Eastern District of New York,
225 Cadman Plaza East,
Brooklyn, New York 11201.

Re: *Freeman v. HSBC Holdings plc*, No. 14-cv-6601-PKC-CLP

Dear Judge Chen:

Sullivan & Cromwell LLP is counsel to Standard Chartered Bank and Barclays Bank PLC in the above-captioned action pending before Your Honor (the “*Freeman Action*”).

Matthew T. Souza, a former law clerk to The Honorable Richard J. Sullivan on the U.S. Court of Appeals for the Second Circuit, joined Sullivan & Cromwell LLP yesterday, as an associate in the firm’s New York office. We are writing to Your Honor pursuant to New York Rule of Professional Conduct 1.12, which (i) bars a former law clerk from representing a client in connection with a matter in which he or she participated personally and substantially while clerking, and (ii) describes notification and screening requirements that must be put in place to ensure that the former law clerk does not share information regarding the matter with others at the firm. This letter sets out Sullivan & Cromwell LLP’s compliance with the requirements of Rule 1.12.

1. Sullivan & Cromwell LLP has taken the following steps to screen Mr. Souza from the *Freeman Action*:

- a. Our partner Matthew Schwartz has notified Mr. Souza in writing that he is not to participate in the *Freeman Action*, discuss it with lawyers or nonlawyer personnel working on it, or review any documents relating to it.
- b. Mr. Schwartz has notified in writing all lawyers, legal analysts, legal assistants and lawyers’ secretaries that they are not to discuss the *Freeman Action* with Mr. Souza or allow him access to documents concerning it.

The Honorable Pamela K. Chen

-2-

- c. Mr. Schwartz has sent a memorandum to the firm's Records Department instructing it not to allow Mr. Souza to have access to any files relating to the *Freeman* Action. This triggers restrictions on Mr. Souza's access to electronic documents relating to it.

2. As Mr. Souza is a salaried employee, he will not share in any fees attributable to Sullivan & Cromwell LLP's work on the *Freeman* Action.

If the Court requires any additional information concerning this matter, please let us know, and we will be happy to provide it.

Respectfully,

/s/ Andrew J. Finn
Andrew J. Finn
Counsel to Standard Chartered Bank

Respectfully,

/s/ Michael T. Tomaino, Jr.
Michael T. Tomaino, Jr.
Counsel to Barclays Bank PLC

cc: All counsel of record (via ECF)